

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE IDEANOMICS, INC. DERIVATIVE
LITIGATION

Lead Case No. 1:20-CV-05333-GBD

**PLAINTIFFS' NOTICE OF MOTION AND UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF SETTLEMENT**

PLEASE TAKE NOTICE that plaintiffs Ali Toorani and Joe Elleisy, Jr. ("Derivative Plaintiffs") by and through their undersigned counsel, hereby move the Court, before the Honorable George B. Daniels, United States District Court Judge for the Southern District of New York, 500 Pearl Street, New York, NY 10007 for entry of an order, which: (1) grants preliminary approval of the proposed Settlement; as set forth in the Stipulation of Settlement dated December 10, 2021 (the "Stipulation")¹; (2) directs that notice of the proposed Settlement be given to Current IDEX Stockholders in the proposed form and manner set forth in the Stipulation; (3) schedules the Settlement Hearing; and (4) grants such other relief as the Court deems just and proper.

In support of this motion, Derivative Plaintiffs rely upon the accompanying Memorandum of Law, the Declaration of Timothy Brown in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement, the Stipulation and exhibits annexed thereto, and all prior pleadings and proceedings.

The Settling Parties' agreed-upon form of proposed Preliminary Approval Order is attached as Exhibit B to the Stipulation. Derivative Plaintiffs respectfully request that the Court enter the proposed Preliminary Approval Order after inserting a date for the Settlement Hearing in paragraphs 3 and 11 that is at least sixty-five calendar days after entry of the Preliminary Approval

¹ Unless otherwise defined herein, all defined terms shall have the meanings as set forth in the Stipulation, which is attached as Exhibit 1 to the Declaration of Timothy Brown in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement.

Order.

Defendants do not oppose this motion.

Dated: December 13, 2021

Respectfully submitted,

THE BROWN LAW FIRM, P.C.

By: /s/ Timothy Brown
Timothy Brown
Saadia Hashmi
767 Third Avenue, Suite 2501
New York, NY 10017
Telephone: (516) 922-5427
Facsimile: (516) 344-6204
E-mail: tbrown@thebrownlawfirm.net
E-mail: shashmi@thebrownlawfirm.net

THE ROSEN LAW FIRM, P.A.

Phillip Kim
275 Madison Avenue, 40th Floor
New York, NY 10016
Telephone: (212) 686-1060
Facsimile: (212) 202-3827
E-mail: pkim@rosenlegal.com

Co-Lead Counsel for Derivative Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2021, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Timothy Brown

Timothy Brown